United States District Court Southern District of Texas

ENTERED

May 01, 2023 Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS LAREDO DIVISION

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§ CIVIL ACTION NO. 5:21-CV-90
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ORDER

Plaintiff Evelyn Marie Leyva, acting as next friend of Minor Plaintiffs A.B.D. and X.B.D., has reached a settlement agreement for A.B.D and X.B.D. (Dkt. Nos. 43, 52-1). As a guardian *ad litem* for A.B.D. and X.B.D., Roderick C. Lopez advised the Court that the settlement agreement is in A.B.D. and X.B.D.'s best interest (Dkt. Nos. 49, 50). The United States Magistrate Judge then held a hearing on the proposed settlement and issued a Report and Recommendation (the "Report") (Min. Ent. Mar. 23, 2023; Dkt. No. 53). The Report recommends that the Court:

- 1. Approve A.B.D. and X.B.D.'s proposed settlement agreement;
- 2. Discharge Mr. Lopez from his duties as guardian ad litem; and
- 3. Order that Mr. Lopez be paid a \$2,000 fee, to be assessed as a taxable cost of court against Zapata County.

(Dkt. No. 53). The parties waived their right to object to the Report (id. at 4).

Having reviewed the proposed settlement agreement, the guardian *ad litem*'s recommendation, and the Report, the Court **ADOPTS** the Report's recommendations (Dkt. No. 53). The Court **APPROVES** the proposed settlement agreement (Dkt. No.

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52-1). Mr. Lopez is **DISCHARGED** from his duties as guardian ad litem. Zapata

County is **ORDERED** to pay \$2,000.00 to compensate Mr. Lopez for his services.

The parties are **ORDERED** to submit closing papers (i.e., a Rule 41(a)(1)(A)(ii)

stipulation of dismissal) no later than May 31, 2023. The closing papers must be

"signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). If the parties

cannot finalize their settlement agreement by this deadline, they may submit a

motion for extension. The undersigned notes that any such motion must be filed at

least three business days prior to the controlling deadline. See J. Garcia Marmolejo,

Civ. Ct. P. 4(A); see also Fed. R. Civ. P. 6(b).

It is so **ORDERED**.

SIGNED May 1, 2023.

Marina Garcia Marmolejo

United States District Judge